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GLEN EDWARD GARNER

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10
11 Plaintiff,

12 vs.

13 GLEN EDWARD GARNER,

14 Defendant.
15

CASE NO: 2:18-CR-317-JAD-VCF

**STIPULATION TO EXTEND TIME
TO RE-FILE MOTION TO DISMISS
AND MOTION TO SUPPRESS**

16 IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER
17 CHU, Acting United States Attorney, and JOSHUA BRISTER, Assistant United States
18 Attorney, counsel for the United States of America, and YI LIN ZHENG, ESQ., CJA
19 counsel for GLEN EDWARD GARNER, that the time for the re-file [114] Motion to
20 Dismiss, and [116] Motion to Suppress be extended until October 20, 2021. This
21 Stipulation is entered into for the following reasons:
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23 1. That while the defense would like to litigate the merits of the issues presented
24 in [114] Motion to Dismiss and [116] Motion to Suppress, filed by prior CJA counsel
25 Richard Pocker, Esq., it should be noted that those many of those issues are directed at
26 the Superseding Indictment. Howevr, the Government has since returned a Second
27 Superseding Indictment against Mr. Garner. Thus, it may render moot some of the
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1 issues presented in the originally filed motions [114; 116].

2 2. As such, it is necessary for counsel to review the grand jury transcripts of the
3 Second Superseding Indictment to make a more accurate determination regarding
4 which arguments can and should be re-filed.

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6 3. The parties have discussed making the grand jury transcripts of the Second
7 Superseding Indictment available to the defense for review. Consistent with the
8 Court's June 1, 2020 order, the government has agreed to turn over the most recent
9 grand jury testimony to the defense, which has just been received.

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11 4. To effectively and thoroughly review all necessary data, have time to confer with
12 client, to re-draft and re-file meaningful motions to the court on defendant's behalf,
13 counsel requires additional time. Likewise, the Government would need an opportunity
14 to respond.

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16 5. That counsel for the Defendant has consulted with AUSA Joshua Brister and he
17 does not object to said enlargement of time to allow the Defense until October 20, 2021
18 to file a Supplement, the Government shall have until November 3, 2021 to file its
19 response, and any reply by the defense shall be file on or before November 10, 2021.
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21 STIPULATION entered by:

22 */s/ Yi Lin Zheng*
23

24 YI LIN ZHENG, ESQ.
25 Nevada Bar No. 10811
26 530 S. Seventh St.
27 Las Vegas, Nevada 89101
28 Attorney for the Defendant
GLEN EDWARD GARNER

STIPULATION entered by:

/s/ Joshua Brister

CHRISTOPHER CHU
Acting United States Attorney
JOSHUA BRISTER
Assistant United States Attorney
501 Las Vegas Blvd. South, Ste. 1100
Las Vegas, Nevada 89101

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 vs.

7 GLEN EDWARD GARNER,
8

9 Defendant.

CASE NO: 2:18-CR-317-JAD-VCF

**ORDER EXTEND TIME TO RE-
FILE MOTION TO DISMISS AND
MOTION TO SUPPRESS**

10 Upon Stipulation of the parties:

11 **IT IS HEREBY ORDERED** that the Defendant shall have until October 20,
12 2021 to file a re-file [114] Motion to Dismiss, and [116] Motion to Suppress.

13 **IT IS FURTHER ORDERED** that the Government shall have until November
14 3, 2021 to file its response.

15 **IT IS FURTHER ORDERED** that any reply by the defense shall be file on or
16 before November 10, 2021.

17 DATED this 16th day of September, 2021.

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21 UNITED STATES MAGISTRATE JUDGE
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